

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Samuel D. Johnson

Date of Previous Judgment: 09/10/07
(Use Date of Last Amended Judgment if Applicable)

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Case No: 5:05CR9-15

USM No: 19951-058

Tanzania C. Cannon-Eckerle

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

REASON FOR DECISION:

Defendant's sentence was recently reduced to a term of 24 months incarceration, rendering this motion pursuant to Amendment 706 and 18 U.S.C. § 3582(c)(2) moot. Had Defendant's sentence not previously been reduced beyond that currently being recommended by U.S. Probation (and agreed upon by the Government) as a result of Amendment 706, Defendant would have been eligible for a reduction to a sentence of 30 months.

IT IS SO ORDERED.

Signed: June 19, 2008



Richard L. Voorhees
United States District Judge

